

MEMORANDUM

TO: District of Columbia Board of Zoning Adjustment
FROM: Stephen Gyor AICP, Case Manager
 Joel Lawson, Associate Director Development Review
DATE: July 2, 2013

SUBJECT: BZA Case 18583 - expedited request pursuant to DCMR 11 § 3118 for special exception relief under § 223 to construct an addition to an existing single family dwelling at 3014 S Dakota Avenue NE.

I. OFFICE OF PLANNING RECOMMENDATION

The Office of Planning (OP) recommends **approval** of the following special exception relief pursuant to § 223:

- § 405.9 Side Yard (8 feet required, 8.87 feet and 2.56 feet existing and proposed); and
- § 2001.3 Nonconforming Structure

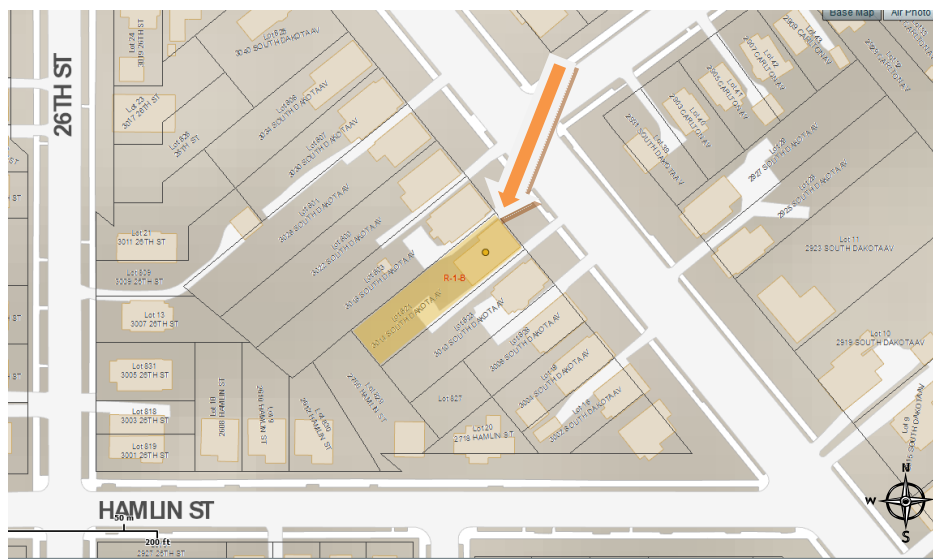
II. LOCATION AND SITE DESCRIPTION:

Address:	3014 South Dakota Avenue NE
Legal Description:	Square 4340, Lot 82127
Ward:	7
Lot Characteristics:	The lot is rectangular and is approximately 160 ft. deep and 40 ft. wide along the South Dakota Avenue NE frontage. The lot existed prior to 1958.
Zoning:	R-1-B: Detached dwellings
Existing Development:	Single-family dwelling, permitted in this zone.
Historic District:	NA
Adjacent Properties:	Predominantly single family detached residential structures. The Square, and the neighborhood more generally, is largely characterized by detached dwellings.

III. PROJECT DESCRIPTION IN BRIEF

Applicant	Oliver Samuels
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Proposal:	The Applicant proposes to vertically expand the second floor of an existing two story single family detached dwelling. The existing second story is comprised of an attic space used as a bedroom. The Applicant's proposal would expand the second floor to provide additional head room. The Subject Property is located in the R-1-B district, which permits matter-of-right residential development of single-family detached structures. The application includes drawings, elevations and plans showing the proposed single family detached home. The existing lot does not meet minimum lot width and side yard requirements.
Relief Sought:	§223 - Additions to a One-Family Dwellings or Flats



Subject Property

IV. ZONING REQUIREMENTS

R-1-B Zone	Regulation	Existing	Proposed ¹	Relief:
Height (ft.) § 400	40 ft. max.	24 ft.	28 ft.	None required
Lot Width (ft.) § 401	50 ft. min.	40 ft.	40 ft.	None required
Lot Area (sq.ft.) § 401	5,000 sq.ft. min.	6,400 sq.ft.	6,400 sq.ft.	None required
Floor Area Ratio § 401	None prescribed	NA	NA	None required
Lot Occupancy § 403	40% max.	34%.	34%	None required
Rear Yard (ft.) § 404	25 ft. min.	78 ft.	78 ft.	None required
Side Yard (ft.) § 405	8 ft. min.	2.56 and 8.87 ft.	2.56 and 8.87 ft.	Relief required
Court § 406	NA	NA	NA	None required
Nonconforming Structure § 2001.3	NA	NA	NA	Relief required

V. OP ANALYSIS:

223 ZONING RELIEF FOR ADDITIONS TO ONE-FAMILY DWELLINGS OR FLATS (R-1) AND FOR NEW OR ENLARGED ACCESSORY STRUCTURES

223.1 *An addition to a one-family dwelling or flat, in those Residence districts where a flat is permitted, or a new or enlarged accessory structure on the same lot as a one-family dwelling or flat, shall be permitted even though the addition or accessory structure does not comply with all of the requirements of §§ 401, 403, 404, 405, 406, and 2001.3 shall be permitted as a special exception if approved by the Board of Zoning Adjustment under § 3104, subject to the provisions of this section.*

Single family dwellings are a permitted use in this zone. The Applicant is requesting special exception relief under § 223 from the requirements of §405.9. The Applicant also requires relief from § 2001.3, due to the addition to a nonconforming structure.

223.2 *The addition or accessory structure shall not have a substantially adverse affect on the use or enjoyment of any abutting or adjacent dwelling or property, in particular:*

(a) *The light and air available to neighboring properties shall not be unduly affected;*

Given that the addition is restrained in height and would be separated from neighboring structures by the existing width of the driveways and side yards, it is not expected to have a substantially adverse effect on the light or air of any abutting or adjacent dwelling or property.

(b) *The privacy of use and enjoyment of neighboring properties shall not be unduly compromised;*

The proposed addition would be in scale with that of adjacent dwellings and would maintain its current two story height, where three stories would be permitted. As a

¹ Information provided by applicant.

result, the privacy of use and enjoyment of neighboring properties should not be unduly compromised.

- (c) *The addition or accessory structure, together with the original building, as viewed from the street, alley, and other public way, shall not substantially visually intrude upon the character, scale and pattern of houses along the subject street frontage; and*

The proposed addition, as viewed from the street, would be consistent with the existing architectural style of the dwelling and would not substantially visually intrude upon the character, scale, and pattern of houses along the street frontage.

- (d) *In demonstrating compliance with paragraphs (a), (b) and (c) of this subsection, the applicant shall use graphical representations such as plans, photographs, or elevation and section drawings sufficient to represent the relationship of the proposed addition or accessory structure to adjacent buildings and views from public ways.*

The Applicant has provided drawings, including site plan and elevations, and photographs, which sufficiently represent the relationship of the proposed addition to adjacent buildings and views from public ways.

- 223.3 *The lot occupancy of all new and existing structures on the lot shall not exceed fifty percent (50%) in the R-1 and R-2 Districts or seventy percent (70%) in the R-3, R-4, and R-5 Districts.*

The proposed lot occupancy is 34 percent, which is permitted by right in the subject R-1-B zone.

- 223.4 *The Board may require special treatment in the way of design, screening, exterior or interior lighting, building materials, or other features for the protection of adjacent and nearby properties.*

The Office of Planning has no recommendations for special treatments for this application.

- 223.5 *This section may not be used to permit the introduction or expansion of a nonconforming use as a special exception.*

The subject application would not result in the introduction or expansion of a nonconforming use.

VI. COMMUNITY COMMENTS

As of this writing, OP has not received a letter from ANC 5C. The Applicant provided letters of support from two neighbors (3010 South Dakota Avenue and 3018 South Dakota Avenue).